

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JANE DOE,

Plaintiff,

-against-

AL JAZEERA MEDIA NETWORK (AJMN),
AL JAZEERA AMERICA (AJAM), and
INFINITY CONSULTING SOLUTIONS (ICS),

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/11/16

No. 16 Civ. 6416 (CM)

ORDER

McMahon, C.J.:

A telephone conference was held in this matter on October 11, 2016. Following that conference, the Court enters the following orders:

1. The standing order of automatic referral to mediation, Docket #37, is hereby rescinded. This case will not be litigated on the merits until we decide who the parties are going to be.
2. There is no reason for Plaintiff to proceed pseudonymously. Plaintiff has 24 hours to refile her own name in the complaint. Defendant Al Jazeera America's motion requiring Plaintiff to identify her actual name in the complaint, found at Docket #29, will be denied as moot as soon as Plaintiff refiles the complaint under her own name.

3. Plaintiff's motion for the appointment of a special process server (Docket #20) is denied without prejudice to renewal—although no particularly compelling reason for the appointment has yet been suggested (the Court finds Plaintiff's desire to avoid the costs associated with service under The Hague Convention to be less than persuasive). However, the Court is suspending the Rule 4(m) deadline for service of process on Defendant Al Jazeera Media Network (AJMN) until such time as we decide whether its subsidiary, Defendant Al Jazeera America (AJAM), is at least plausibly the alter ego of AJMN. I gather from reading the complaint and from today's discussion on the telephone that alter ego status is a necessary predicate to Plaintiff having a viable claim against AJMN. The parties have 90 days to take jurisdictional discovery, after which Plaintiff may try to convince the Court that there is enough of a possibility of alter ego status so that a time-out to effect service on a Qatari corporation would be appropriate. Plaintiff is of course free to institute Hague Convention service at any time, which would move the case along.

Dated: October 11, 2016



U.S.D.J.

BY ECF TO ALL COUNSEL